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COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Open-ended inter-sessional ad hoc working group
on a permanent forum for indigenous people
Geneva, 15-19 February 1999

Proposals for the possible establishment of a permanent forum for indigenous people

Information from indigenous organizations

In its resolution 1998/20 of 9 April 1998, the Commission on Human Rights decided to establish an open-ended inter-sessional ad hoc working group to elaborate and consider further proposals for the possible establishment of a permanent forum for indigenous people within the United Nations system. The Commission requested the ad hoc working group to take into account in its work the comments received from indigenous organizations. The present document contains information received from indigenous organizations as of 16 December 1998. Any further information from indigenous organizations will be made available in addenda to the present document.

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NEPAL FEDERATION OF NATIONALITIES

[4 November 1998]
[Original: English]

FIRST ASIAN INDIGENOUS PEOPLES' WORKSHOP ON A PERMANENT FORUM FOR INDIGENOUS PEOPLES IN THE UNITED NATIONS

INDORE DECLARATION

We the representatives of indigenous peoples meeting in Indore, Madhya Pradesh, India, from 23 to 25 September, 1998,

Bearing in mind the United Nations resolutions and declarations pertaining to the rights of indigenous peoples, including those in relation to the establishment of a permanent forum for indigenous peoples within the United Nations system,

Recalling the rights of all peoples, including indigenous peoples, to self-determination as enshrined in the Charter of the United Nations,

Reiterating our demand for the early adoption of the Declaration on the Rights of Indigenous Peoples as adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Bearing in mind the Vienna Declaration and Programme of Action as adoption by the World Conference on Human Rights,

Recalling that the goal of the International Decade of the World's Indigenous People is to strengthen international cooperation in order to solve problems faced by indigenous peoples in such areas as human rights, health, environment, development, education and culture,

Supporting United Nations General Assembly resolution 50/157 calling for the establishment of a permanent forum for indigenous peoples within the United Nations system as one of the important objectives of the International Decade of the World's Indigenous Peoples,

Recalling the Secretary-General's report on the review of existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples (A/51/493),

Supporting the Declarations of the First and Second International Indigenous Conference on a Permanent Forum for Indigenous Peoples within the United Nations system held in Temuco, Chile (see E/CN.4/1998/11/Add.1), and Kuna Yala, Panama (see E/CN.4/1998/11/Add.3),

Recalling the reports of the first and second workshops on a permanent forum for indigenous people within the United Nations system held in Copenhagen, Denmark (E/CN.4/Sub.2/AC.4/1995/7) and Santiago de Chile (E/CN.4/1998/11),

Welcoming the decision of the Commission on Human Rights to establish an ad hoc inter-sessional working group on the permanent forum,

Emphasizing the need for an indigenous co-chair for the ad hoc inter-sessional working group on the permanent forum,

We call for the speedy establishment of a permanent forum for indigenous peoples within the United Nations system in order to facilitate dialogue between States Members of the United Nations, indigenous peoples and United Nations bodies on issues and concerns affecting indigenous peoples.

Level

The permanent forum should be at the highest level and no lower than a body reporting directly to the Economic and Social Council (ECOSOC) of the United Nations.

Mandate

The mandate of the permanent forum should be as broad as possible and contain all matters concerning indigenous peoples amongst which should be included civil, political, economic, social, cultural, developmental, environmental, health, education, language, land, resources, territorial, gender and children's rights. In particular, it should deal with the following, among others:

To coordinate and monitor all activities of concern to indigenous peoples within and outside the United Nations system;

To provide advice and guidance to States Members of the United Nations, specialized agencies of the United Nations and other relevant bodies;

To facilitate the establishment of national institutions and mechanisms on the rights of indigenous peoples;

To conduct research into and collect, provide and disseminate information on the conditions and needs of indigenous peoples and on the United Nations institutions, agencies and related forums which concern indigenous peoples;

To promote understanding between peoples with the aim of facilitating the prevention, and the peaceful resolution, of conflicts;

To formulate recommendations on any issues of concern to indigenous peoples;

To ensure the fulfilment of existing national and international standards with regard to the rights of indigenous peoples;

To develop international standards on the rights of indigenous peoples;

To take decisions for intervening effectively on an urgent basis on behalf of indigenous peoples throughout the world.

Membership, composition and participation

The forum should be composed of an equal number of representatives of indigenous peoples and States Members of the United Nations, acting as full voting members on an equal basis. There should be at least two representatives of indigenous peoples from each of the main geographical regions around the world, to be nominated by indigenous peoples of the respective regions.

In addition, indigenous peoples and their organizations, States Members of the United Nations, specialized agencies of the United Nations and non-governmental organizations, should be able to participate in the deliberations of the forum as observers without the right to vote. Indigenous peoples should have the same access to the forum as to the Working Group on Indigenous Populations.

Secretariat

A new secretariat should be established for the permanent forum. This secretariat should be adequately staffed by qualified indigenous persons for the preparation and servicing of the permanent forum meetings and the collection and dissemination of information. The secretariat should also assist indigenous peoples in their capacity-building efforts.

Financing

The funds for the functioning of the forum and its subsidiary bodies, including a secretariat, should come from the United Nations regular budget. Additionally, States Members of the United Nations should be encouraged to contribute with voluntary funds and technical assistance.

SAAMI COUNCIL

[17 December 1998]
[Original: English]

ARCTIC INDIGENOUS PEOPLES' DECLARATION ON THE ESTABLISHMENT OF A PERMANENT FORUM FOR INDIGENOUS PEOPLES WITHIN THE UNITED NATIONS

We, the Arctic indigenous peoples' representatives meeting in Geneva on 10 December 1998,

Bearing in mind the principles and objectives of the Charter of the United Nations to develop friendly relations among nations based on respect of the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace,

Recalling that the World Conference on Human Rights urged States to ensure the full and free participation of indigenous peoples in all aspects of society, in particular in matters of concern to them,

Recalling also the recommendation of the World Conference on Human Rights to the United Nations concerning the establishment of a permanent forum for indigenous people within the United Nations system,

Referring to Article 68 of the Charter of the United Nations, in which it is stated that the Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions,

Recalling further that the goal of the International Decade of the World's Indigenous People is to strengthen international cooperation for the solution of problems faced by indigenous peoples in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "indigenous peoples - partnership in action",

Bearing in mind the review of the Secretary-General on the existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples, in which it is stated that there are no mechanisms to ensure regular exchange of information and views between Governments, indigenous peoples and the United Nations system on an ongoing basis,

Emphasizing that the United Nations General Assembly in its resolution 50/157 has identified the establishment of a permanent forum before the end of the Decade as one of the main objectives of the Decade,

Supporting the declarations of the First and Second International Indigenous Conferences on the Establishment of a Permanent Forum for Indigenous Peoples within the United Nations System held in Temuco, Chile, and Kuna Yala, Panama, respectively, and the declaration of the First Asian Indigenous Peoples' Workshop on a Permanent Forum for Indigenous Peoples in the United Nations held in Indore, India,

Call for the swift establishment of a high-level permanent forum for indigenous peoples within the United Nations.

Mandate and terms of reference

1. The overall goal of the Permanent Forum should be to promote peace and prosperity in accordance with the Charter of the United Nations, by developing friendly relations among nations and peoples based on respect for the principle of equal rights. It should be a forum for dialogue between Governments, indigenous peoples and the United Nations system on issues affecting indigenous peoples.

2. The mandate of the Permanent Forum should enable it to deal effectively with the full range of issues covered by the mandate of the Economic and Social Council which are of concern to indigenous peoples. The Permanent Forum's mandate should include, but not be limited to, the submission of proposals, recommendations and reports to the Economic and Social Council and coordination of all matters pertaining to indigenous peoples. It should also be authorized to call upon and establish ad hoc working groups in specialized fields or individual experts if and when necessary.

Level

3. The Permanent Forum should report directly to its parent body, the Economic and Social Council.

Membership

4. The Permanent Forum should be composed of an equal number of representatives of indigenous peoples and Governments, acting as full voting members on an equal basis. Members of the Permanent Forum should be chosen for a period of four years.

Participation

5. Indigenous peoples, communities and organizations, non-governmental organizations, United Nations agencies and organs. Indigenous peoples should be able to participate in the work of the Permanent Forum regardless of consultative status with the Economic and Social Council.

Experts

6. Individual experts should be allowed to participate in the work of the Permanent Forum if or when called upon by the Forum.

Financing

7. The Permanent Forum, including its potential subsidiary bodies, should be funded via the regular budget of the United Nations.

Secretariat

8. A new and separate secretariat of the Permanent Forum, funded via the United Nations regular budget, should be established well in advance of the first session of the Forum. The secretariat should be led and staffed by indigenous persons.

ASSOCIATION TO COORDINATE INDIGENOUS COMMUNITIES IN EL SALVADOR

[28 November 1998]
[Original: SPANISH]

Comments

1. We agree with the establishment of the permanent forum for indigenous peoples within the United Nations system. It must be an example of the unity, equality and participation of all parties, for human rights cannot be guaranteed as long as inequalities exist.

2. The establishment of the permanent forum should have a positive impact on construction and development for indigenous peoples in areas such as economic, political, social and cultural rights, human rights, the environment, health and the expansion of cross-cultural bilingual education based on the world view of the indigenous peoples in each State.

3. The permanent forum should ensure that indigenous peoples take part fully in, and actually benefit from, the formulation of projects so that the quality of such projects may be improved in our territories.

4. The establishment of the permanent forum must not be limited to the creation of documentation and communication centres, but must, rather, promote the exercise and expansion of the rights of indigenous peoples in all areas; it must fully promote a culture of rights and solidarity involving participation by and consultation with indigenous peoples.

5. The permanent forum should lead to the genuine recognition of indigenous associations within the United Nations so that they might have the right to participate at all levels.

6. The permanent forum should be a body designed to facilitate the training of indigenous persons in various occupations.

7. It must relate to measures concerning the obligations of States to protect and respect indigenous lands and to protect the environment.

KIRAT KOYU RAIS UPLIFTING ASSOCIATION

[25 November 1998]
[Original: English]

1. KKRUA/Nepal would like to express great satisfaction upon the establishment of an open-ended inter-sessional ad hoc working group on the possible establishment of a permanent forum for indigenous peoples within the United Nations system, in accordance with Commission on Human Rights resolution 1998/20 of 9 April 1998. KKRUA/Nepal wishes the working group all the best and every success in its work.

2. KKRUA/Nepal highly appreciates the two workshops hosted by the Governments of Denmark (1996) and Chile (1997) and supports the report (recommendation) of the second Workshop on a Permanent Forum for Indigenous Peoples within the United Nations system held in accordance with Commission on Human Rights resolution 1997/30.

3. KKRUA/Nepal welcomes with profound satisfaction the review of the Secretary-General on the existing mechanism, procedures and programmes within the United Nations system concerning indigenous peoples (A/51/493).

4. KKRUA/Nepal also welcomes with satisfaction the views contained in the contribution made by the Chairperson of the Working Group on Indigenous Populations, Mrs. Erica-Irene Daes (E/CN.4/1998/11/Add.2).

5. As its comments, KKRUA/Nepal supports the "Outline of a permanent forum for indigenous peoples" presented by the Government of Denmark (see E/CN.4/1998/11/Add.1). But KKRUA/Nepal suggests that the geographical regions should be composed as follows: (a) Africa; (b) Asia; (c) Circumpolar region and the Pacific; (d) North America; (e) South America. KKRUA/Nepal is of the opinion that the majority of indigenous peoples are located in the Asian region so this region alone must have one representative member representing its indigenous peoples.

6. In regard to the definition of "indigenous peoples", KKRUA/Nepal supports the view of the Saami Council, point 14, contained in the statement submitted by the Council (see E/CN.4/1998/11/Add.1). For the time being, the working definition of Mr. Martínez Cobo is appropriate.

7. KKRUA/Nepal unconditionally and fully supports the "Draft United Nations declaration on the rights of indigenous peoples" prepared and adopted by the Working Group on Indigenous Populations and expresses its view that the draft declaration should be adopted as soon as possible within the second half of the International Decade. KKRUA/Nepal urges the higher bodies concerned to take positive and prompt measures in this regard.

8. KKRUA/Nepal also supports the recommendation made by the Asian workshop on the permanent forum for indigenous peoples within the United Nations system recently held in Indore, India.

9. KKRUA/Nepal is of the opinion that the proposed permanent forum should be established within the International Decade, as a major action of the Decade, which will, of course, be fruitful to us, the indigenous peoples, and really prove to be a major "clearing house" between the indigenous peoples and the international community.

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